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DEMETRIC DI-AZ and OWEN DIAZ

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEMETRIC DI-AZ, OWEN DIAZ, and
LAMAR PATTERSON,

Plaintiffs,

v.

TESLA, INC. dba TESLA MOTORS, INC.;
CITISTAFF SOLUTIONS, INC.; WEST
VALLEY STAFFING GROUP;
CHARTWELL STAFFING SERVICES, INC.;
and DOES 1-50, inclusive,

Defendants.

Case No. 3:17-cv-06748-WHO

**DESIGNATION OF TESTIMONY
PRESENTED BY VIDEO OF ERIN
MARCONI**

Trial Date: September 24, 2021
Complaint filed: October 16, 2017

To ensure a complete record, Plaintiff Owen Diaz provides the following deposition
testimony from Erin Marconi which was presented by video to the jury on September 30, 2021.

Marconi, Erin 10/21/19, Volume 1

#	Lines	Deposition Excerpt
1.	13:17-14:05	<p>17 What did you do after you left Volt as a 18 program manager? 19 A I went to Tesla as an HR business partner. 20 Q So that would be approximately 2013? 21 A Correct. 22 Q How long were you an HR business partner at 23 Tesla? 24 A Until January 2017. 25 Q And what was your job title after you – after 1 January 2017? 2 A I took a time off work. I had been a 3 caregiver for my mother. 4 Q And have you worked at Tesla since that time? 5 A No.</p>
2.	14:09-14:21	<p>9 Q Okay. What were the job duties of an HR 10 business partner in your role? 11 A Strategic partner with the business management 12 teams from work planning, succession planning. Time to 13 time would help out if recruiting was needed, but that 14 wasn't primary. 15 A lot of HR generalist at the beginning. That 16 went away as we grew. Employee relations, 17 investigations, performance management. Employee 18 engagement. 19 Q It sounds like -- 20 A Probably about covers it. A little bit of 21 everything.</p>
3.	15:03-15:05	<p>3 Q Okay. So investigations were part of your job 4 as an HR business partner; is that right? 5 A Correct.</p>
4.	27:12-27:15	<p>12 Q But the HR business partner team that you were 13 part of was in charge of handling, among other things, 14 complaints about discrimination or harassment; right? 15 A Correct.</p>
5.	33:17-33:20	<p>17 Q Okay. But it's fair to say that you at least 18 understood what Tesla's policies were in terms of 19 anti-discrimination and anti-harassment; right? 20 A Correct</p>
6.	35:02-35:07	<p>2 Q So with that understanding of the definition 3 of n- -- of the n-word, is it your understanding that 4 Tesla's anti-harassment and anti-discrimination 5 zero-tolerance policies prohibit use of the n-word at 6 the Tesla facility? 7 A Yes.</p>

7.	36:05-36:13	<p>5 Q Okay. And if you had known about someone</p> <p>6 using the n-word at the Tesla factory, that would</p> <p>7 certainly be something that you would investigate;</p> <p>8 correct?</p> <p>9 A Absolutely.</p> <p>10 Q And the reason that you would investigate that</p> <p>11 is use of the n-word at the Tesla factory could create a</p> <p>12 hostile work environment for other workers; right?</p> <p>13 A Correct.</p>
8.	37:04-37:06	<p>4 Do you recall ever investigating a claim where</p> <p>5 it was alleged that the n-word was used?</p> <p>6 A Not specifically.</p>
9.	39:02-39:08	<p>2 Q Was there ever any kind of meeting among HR</p> <p>3 professionals about, like, sensitivity training or how</p> <p>4 to address a situation where the n-word was being used</p> <p>5 in the workplace?</p> <p>6 A Specifically regarding the n-word?</p> <p>7 Q Yeah.</p> <p>8 A No.</p>
10.	38:05-38:15	<p>5 Q I see.</p> <p>6 It's fair to say that the HR team that did</p> <p>7 investigations would talk to each other about what was</p> <p>8 going on in the workplace; is that true?</p> <p>9 A As needed.</p> <p>10 Q And certainly if the n-word had been used in</p> <p>11 the workplace there, that would be a fairly big issue.</p> <p>12 Is that true, from an HR perspective?</p> <p>13 A Yes, it would be a big issue, but don't know</p> <p>14 that that would necessarily mean it would be discussed</p> <p>15 in a group. Investigations were need-to-know</p>
11.	42:21-43:05	<p>21 Q Okay. But under Tesla's guidelines or</p> <p>22 policies for anti-harassment complaints, if a member of</p> <p>23 the leadership team, supervisor, manager, director,</p> <p>24 received a complaint of harassment, they were to at</p> <p>25 least inform HR that they had received such a complaint;</p> <p>1 is that true?</p> <p>2 A Yes.</p> <p>3 Q And that was true throughout the time that you</p> <p>4 worked at Tesla; right?</p> <p>5 A Yes.</p>

12.	49:07-49:23	<p>7 Q In fact, every -- every employer has a duty to</p> <p>8 make sure that its workers are working in an environment</p> <p>9 that is harassment-free; right?</p> <p>10 10 A Correct.</p> <p>11 Q And that would include harassment based on sex</p> <p>12 or race or any of those other prohibited categories;</p> <p>13 right?</p> <p>14 14 A Yes.</p> <p>15 Q Similarly, every employer is -- has a duty to</p> <p>16 make sure that once it knows about harassment, that it</p> <p>17 takes some sort of corrective action to make sure that</p> <p>18 the harassment doesn't continue; right?</p> <p>19 19 A Yes.</p> <p>20 Q And in California, every employer must take</p> <p>21 all reasonable steps necessary to prevent discrimination</p> <p>22 and harassment from occurring; right?</p> <p>23 23 A Yes.</p>
13.	51:02-51:12	<p>2 Q You would agree that it's never okay to use</p> <p>3 the n-word in the workplace?</p> <p>4 4 A Correct.</p> <p>5 Q And you'd also agree that it's never okay to</p> <p>6 make offensive drawings that could be racial in nature;</p> <p>7 right?</p> <p>8 8 A Correct.</p> <p>9 Q You'd agree that every employer has a duty to</p> <p>10 provide a workplace where employees are not using the</p> <p>11 n-word towards other employees?</p> <p>12 12 A Yes.</p>
14.	51:23-52:10	<p>23 If -- if a Tesla worker complains about</p> <p>24 harassment to their supervisor, that meets their at</p> <p>25 least initial burden under Tesla's policies for</p> <p>1 reporting harassment; right?</p> <p>2 2 A Yes.</p> <p>3 Q And under Tesla policies, supervisors are</p> <p>4 supposed to report issues relating to harassment to</p> <p>5 their managers and to HR?</p> <p>6 6 A Yes.</p> <p>7 Q Similarly, if an employee wanted to report an</p> <p>8 issue of harassment to a manager, that would satisfy</p> <p>9 Tesla's reporting requirements; right?</p> <p>10 10 A Yes.</p>
15.	55:23-56:04	<p>23 Q And in terms of the standards, the</p> <p>24 anti-discrimination, anti-harassment policy standards</p> <p>25 that applied to workers at the Tesla factory, those</p> <p>1 standards applied to both regular full-time Tesla</p> <p>2 employees and to the temporary workers who were working</p> <p>3 at the plant; right?</p> <p>4 4 A Yes.</p>

16.	56:22-57:07	<p>22 Q A temporary worker would be doing a task that</p> <p>23 a Tesla employee might also do; is that true?</p> <p>24 A Yes.</p> <p>25 Q And a temporary worker could also -- would at</p> <p>1 -- there would be at least some</p> <p>2 reporting structure to a Tesla employee, is that right,</p> <p>3 for a temporary worker?</p> <p>4 A Correct</p> <p>5 Q And so even if they're --</p> <p>6 A And then a dotted line to their actual</p> <p>7 employer.</p>
17.	57:21-58:9	<p>21 but as far as -- like I wouldn't want to investigate for</p> <p>22 West Valley for their employee. I would be happy to</p> <p>23 facilitate.</p> <p>24 Does that make sense?</p> <p>25 Q So Tesla's HR role for a complaint by a</p> <p>1 temporary worker would be to facilitate the</p> <p>2 investigation. Is that true typically?</p> <p>3 A Primary first thing would be obviously,</p> <p>4 depending on what that is, are they comfortable or do</p> <p>5 they feel threatened. Those kind of things you want to</p> <p>6 take care of in the immediate.</p> <p>7 The next thing I would do is get them</p> <p>8 connected with the person that would have been my role</p> <p>9 for their employer.</p>
18.	58:10-58:15	<p>10 Q Okay. And if someone does complain about what</p> <p>11 they consider to be inappropriate conduct, and they feel</p> <p>12 threatened, you would agree that as a Tesla HR person,</p> <p>13 you would still have a responsibility to make sure that</p> <p>14 nothing happened to them further; right?</p> <p>15 A Oh, absolutely</p>
19.	58:16-59:5	<p>16 Q And as a Tesla HR person, if someone had</p> <p>17 complained about like threatening conduct or feeling</p> <p>18 that they were threatened, you would at least have to</p> <p>19 make that workplace safe for them from that point that</p> <p>20 you find out about it on; right?</p> <p>21 A In the immediate, absolutely. If then it</p> <p>22 was -- the investigation was conducted and it, say, only</p> <p>23 involved temporary people that were all under West</p> <p>24 Valley --</p> <p>25 Q Yeah.</p> <p>1 A -- if West Valley investigated it and came</p> <p>2 back and said there wasn't actually an issue, I'm going</p> <p>3 to believe that West Valley did their investigation</p> <p>4 thoroughly and if there was something to address,</p> <p>5 addressed it.</p>

1	20.	59:8-21	<p>8 You -- you typically rely on the contract --</p> <p>9 contracting agency to do an investigation into</p> <p>10 complaints by their employees; is that right?</p> <p>11 A If it is involving other of their employees.</p> <p>12 If it is involving Tesla employees, then I</p> <p>13 would talk to probably Tesla employees, they would talk</p> <p>14 to their employees.</p> <p>15 If the stars align and everyone was in the</p> <p>16 building or in the same side of the country and we would</p> <p>17 help -- sometimes I had been there when they were</p> <p>18 interviewing their employee and vice versa. But I</p> <p>19 wouldn't -- my preference would not be to interview</p> <p>20 someone else's employee, and especially not without them</p> <p>21 present.</p>
10	21.	59:22-60:10	<p>22 Q In terms of Tesla's duty, though, to all of</p> <p>23 its employees, it has a -- it has a duty to both its</p> <p>24 regular employees and the contractors to make sure that</p> <p>25 all of those people work in a work environment free from</p> <p>1 harassment or discrimination based on race; right?</p> <p>2 A Correct.</p> <p>3 Q And so if -- if Tesla HR became aware of a</p> <p>4 problem, let's say use of the n-word or use of racial</p> <p>5 drawings, Tesla would still have to make sure that that</p> <p>6 conduct stopped; right?</p> <p>7 A Assuming that an investigation found that that</p> <p>8 conduct did happen?</p> <p>9 Q Right.</p> <p>10 A Then yes.</p>
18	22.	61:10-14	<p>10 Q And if someone is complaining about conduct,</p> <p>11 do they have to complain in writing or can they also</p> <p>12 complain verbally about inappropriate conduct in the</p> <p>13 workplace at Tesla?</p> <p>14 A Either.</p>
21	23.	62:9-13	<p>9 Q And, similarly, if a person doesn't use</p> <p>10 "discrimination" or "harassment" in their complaint,</p> <p>11 they can still be complaining about what's</p> <p>12 discrimination or harassment; right?</p> <p>13 A Correct.</p>
24	24.	64:24-65:04	<p>24 Q Tesla had video cameras throughout the</p> <p>25 facility; is that true?</p> <p>1 A Correct.</p> <p>2 Q And if there was an altercation, would you</p> <p>3 like to see if there was video footage of the incident?</p> <p>4 A Absolutely.</p>

25.	67:08-67:13	<p>8 There were numerous situations where Tesla</p> <p>9 employees were supervising temporary workers who were</p> <p>10 employed by contractors; right?</p> <p>11 A Who were -- like a West Valley?</p> <p>12 Q Yeah.</p> <p>13 A Yes.</p>
26.	69:03-69:06	<p>3 Q Okay. But based on the contract that you knew</p> <p>4 about that Volt had with Tesla, it was understood that</p> <p>5 the Volt temporary workers would be subject to Tesla's</p> <p>6 policies for working at that facility; right?</p>
27.	69:10-69:11	<p>10 THE WITNESS: Yes, as well as their</p> <p>11 employer's</p>
28.	69:22-70:04	<p>22 Temporary workers who were working through a</p> <p>23 staffing agency at a Tesla facility had to follow the</p> <p>24 rules and regulations of the staffing agency and of</p> <p>25 Tesla?</p> <p>1 A Yes.</p> <p>2 Q And that was true throughout the time that you</p> <p>3 worked at Tesla; right?</p> <p>4 A Yes.</p>
29.	73:20-74:08	<p>20 Q Okay. Wayne Jackson was one of the nextSource</p> <p>21 representatives working at -- working for nextSource at</p> <p>22 the plant; is that right?</p> <p>23 A I am not completely sure. I don't recall ever</p> <p>24 meeting him face to face. NextSource wasn't set up the</p> <p>25 way that temporary workers were.</p> <p>1 Q NextSource was actually more of a conduit for</p> <p>2 other staffing agencies, wasn't it?</p> <p>3 A My understanding is they were brought on</p> <p>4 statement of work project or on a PO, but I don't</p> <p>5 have -- can't confirm that.</p> <p>6 Q Okay. Do you recall what the statement of</p> <p>7 work was about?</p> <p>8 A I do not.</p>

30.	80:21-82:3	<p>21 Q Okay. Tell me about that. What was the</p> <p>22 situation in which you did some sensitivity training for</p> <p>23 a group relative -- was it relative to the n-word or was</p> <p>24 it --</p> <p>25 A No.</p> <p>1 t was the -- tell me about the</p> <p>2 situation where you did sensitivity training for a</p> <p>3 group.</p> <p>4 A It was an offensive drawing that we were</p> <p>5 unable to determine who did the drawing. And I say</p> <p>6 "offensive"; it was a sexual drawing that clearly</p> <p>7 offended folks.</p> <p>8 That department was, I believe, over 500</p> <p>9 people. So we brought everyone together each shift,</p> <p>10 went over how that was not okay; if we ever could find</p> <p>11 out who it was, it wouldn't be tolerated.</p> <p>12 An investigation couldn't pinpoint who it was</p> <p>13 because there wasn't a camera in that particular area,</p> <p>14 we addressed the whole entire team, and then did</p> <p>15 sensitivity training that covered pretty much</p> <p>16 everything.</p> <p>17 And even if I tell you a joke about the sky</p> <p>18 being blue and you think it's funny today and you don't</p> <p>19 tomorrow, then I can't tell you that joke anymore.</p> <p>20 Q Do you remember what department it was in?</p> <p>21 A I think it was stamping.</p> <p>22 Q Okay. In terms of the drawing -- I don't mean</p> <p>23 to offend you or anything, but can you describe the</p> <p>24 sexual drawing that you ended up having to do</p> <p>25 sensitivity training for.</p> <p>1 A If I recall correctly, somebody put boobs on</p> <p>2 like -- you know the male/female symbols on bathrooms?</p> <p>3 Somebody drew boobs.</p>
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31.	84:17- 85:09	<p>17 That sensitivity training came out of the fact</p> <p>18 that there were these -- there was a visual harassment</p> <p>19 in this -- the boobs on the bathroom door.</p> <p>20 Is that what caused the training to come</p> <p>21 about?</p> <p>22 A Yes. Someone was offended by the boobs drawn.</p> <p>23 Q Okay. And how was the decision made as a</p> <p>24 result of that to do a sensitivity training? Why was</p> <p>25 that the outcome?</p> <p>1 make sure that everyone</p> <p>2 understood what the expectation was, and if it makes</p> <p>3 someone uncomfortable, it's not okay.</p> <p>4 Q Right. Okay.</p> <p>5 And do you recall any other sensitivity</p> <p>6 trainings that were done relative to either race or sex</p> <p>7 issues that you were involved in?</p> <p>8 A Not that I recall. I mean, other than your</p> <p>9 regular annual required of supervisor and above.</p>
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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	32. 85:21-87:04	<p>21 Q Okay. Now, I'm going to show you what has</p> <p>22 been previously marked as Exhibit 37. And just so the</p> <p>23 record is clear, Exhibit 37 is a three-page document</p> <p>24 Bates-stamped Tesla 35 through 37, and it's a complaint</p> <p>25 by Owen Diaz about a racist drawing, or what he</p> <p>1 considered to be a racist drawing.</p> <p>2 And I'm wondering if you recall seeing this</p> <p>3 email, or the picture that's attached.</p> <p>4 A I don't recall seeing the picture, and I don't</p> <p>5 specifically recall seeing it, given the time. It very</p> <p>6 well could have been something that I was -- "Here's a</p> <p>7 heads-up" kind of thing, and I just don't recall.</p> <p>8 Q Okay. Okay.</p> <p>9 Based on your -- you just read the complaint</p> <p>10 by Mr. Diaz from January 22nd, 2016. Based on that</p> <p>11 complaint and in your experience as a professional HR</p> <p>12 person, would that be sufficient to trigger an</p> <p>13 investigation, in your mind, his complaint along with</p> <p>14 the pictures?</p> <p>15 A Yes.</p> <p>16 Q And would -- as a trained investigator, given</p> <p>17 this written information and the confirming picture,</p> <p>18 would you expect there to be an investigation as a</p> <p>19 result of that?</p> <p>20 A Yes.</p> <p>21 Q If you were conducting the investigation,</p> <p>22 would you interview the people that are identified in</p> <p>23 Mr. Diaz's email?</p> <p>24 A Depending on if they were Tesla employees or</p> <p>25 employees of another company, either I would if they</p> <p>1 were Tesla employees, or I would ask that the primary</p> <p>2 employer, for lack of a better way to put it, did. And</p> <p>3 if it was a combination, work together if at all</p> <p>4 possible.</p>
22 23 24 25 26 27 28	33. 88:20-89:07	<p>20 So if Michael Wheeler and the Israel -- the</p> <p>21 guy whose name is Israel in this were both Tesla</p> <p>22 employees, those interviews you would expect would be</p> <p>23 done by Tesla HR, and then the interviews -- assuming</p> <p>24 that Ramon Martinez and Owen Diaz are temporary</p> <p>25 employees working through a staffing agency, you would</p> <p>1 interviewed by their</p> <p>2 respective contracting agencies; correct?</p> <p>3 A Correct.</p> <p>4 I have had occasion to that whoever was on</p> <p>5 site for, say, West Valley wasn't well versed or</p> <p>6 comfortable. So if that kind of situation came up, I</p> <p>7 would assist, but would make sure that they were there.</p>

1 2 3 4 5 6 7 8 9 10 11 12	34. 97:12-98:05	<p>12 Q If you look at Mr. Diaz's statement on Tesla</p> <p>13 22, which is the third page of Exhibit 128, and you look</p> <p>14 down at the bottom of what his statement is, he says</p> <p>15 that:</p> <p>16 "As a supervisor or leads, we are held to</p> <p>17 a higher standard because the people we</p> <p>18 supervise look to us as examples."</p> <p>19 Is that -- is that a true statement for people</p> <p>20 who were acting as leads or supervisors at Tesla, that</p> <p>21 they were examples for other employees?</p> <p>22 A Absolutely for Tesla employees.</p> <p>23 Q Okay. And if a supervisor --</p> <p>24 A I'm not aware of anybody that was working as a</p> <p>25 lead or a supervisor that wasn't a Tesla employee.</p> <p>1 Q Okay. But regardless, even if someone was a</p> <p>2 temporary worker through a staffing agency, if they were</p> <p>3 working in a lead position, they would need to adhere to</p> <p>4 Tesla policies; right?</p> <p>5 A I believe so.</p>
13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	35. 99:22-100:20	<p>22 You understand that this drawing that's on the</p> <p>23 fourth page of Exhibit 128, that that drawing is a</p> <p>24 drawing that could be offensive to African Americans?</p> <p>25 A Yes.</p> <p>1 Q Right?</p> <p>2 A Yes.</p> <p>3 Q And it's a caricature that historically was</p> <p>4 used -- it's been called a "pickaninny." Have you heard</p> <p>5 that expression before?</p> <p>6 A Yes.</p> <p>7 Q And it was historically -- this drawing with</p> <p>8 the bone in the hair was historically a way to put down</p> <p>9 African Americans; right?</p> <p>10 A That's my understanding.</p> <p>11 Q So if you had understood that Mr. Martinez had</p> <p>12 admitted to putting this poster -- to putting this</p> <p>13 drawing up, and also to have threatened Mr. Diaz</p> <p>14 previously, you would expect that Mr. Martinez would be</p> <p>15 fired pursuant to Tesla policy, wouldn't you?</p> <p>16 A Assuming all of that is true --</p> <p>17 Q Yeah.</p> <p>18 A -- I wouldn't presume what nextSource does,</p> <p>19 but I would ask them not to have him return to an</p> <p>20 assignment at Tesla.</p>

36.	100:22-101:07	<p>22 Now, if you go on to Mr. Diaz's statement:</p> <p>23 ..."and because nothing has been done, it</p> <p>24 seems that his behavior is getting worse."</p> <p>25 That would be a concern to you as a Tesla</p> <p>1 it, if conduct is getting worse?</p> <p>2 A Absolutely.</p> <p>3 Q Where Mr. Diaz then says:</p> <p>4 "As an employee, I'm entitled to a safe</p> <p>5 and harassment-free work environment,"</p> <p>6 that's true; right?</p> <p>7 A Yes.</p>
37.	104:15-19	<p>15 Q Okay. Now, certainly if Ramon Martinez were</p> <p>16 yelling at him and threatening him, that would violate</p> <p>17 Tesla's policies; right? -- at least the threatening</p> <p>18 part?</p> <p>19 A Yes. Assuming it's Ramon Martinez.</p>
38.	107:23-108:02	<p>23 Q Okay. So in general, you had -- sometimes you</p> <p>24 had to push nextSource to get you the information you</p> <p>25 needed so that you could evaluate --</p> <p>1 A And go about things the way that we had asked</p> <p>2 them to go about them</p>

39.	108:4-109:12	<p>4 Exhibit 35 for the record is a three-page</p> <p>5 document Bates-stamped Tesla 140 to 142. And it appears</p> <p>6 that at least in this situation with respect to Ramon</p> <p>7 Martinez and Owen Diaz, that eventually at least it got</p> <p>8 forwarded to you.</p> <p>9 Do you see that?</p> <p>10 A Yes.</p> <p>11 Q And so at least at some point you did get 12 Mr. Diaz's statement about</p> <p>13 his -- the threat that he</p> <p>14 perceived from Ramon Martinez; correct? 14 A Owen's statement?</p> <p>15 Q Yeah.</p> <p>16 A Assuming this whole thread was actually</p> <p>17 forwarded at the time?</p> <p>18 Q Yeah.</p> <p>19 A Yes. If it was, I can't say for sure.</p> <p>20 Q Okay. But based on the email chain, I mean, 21 it looks like it was</p> <p>22 forwarded to you. Do you see that?</p> <p>23 A Correct.</p> <p>24 Q Okay.</p> <p>25 A Several days later; right? Yeah.</p> <p>26 Q Yeah.</p> <p>27 1 made on the 17th, and then</p> <p>28 2 forwarded again on the 20th to Wayne Jackson, and then</p> <p>3 it looks like Wayne Jackson forwarded it to you on that</p> <p>4 same day, on the 20th.</p> <p>5 A Terri.</p> <p>6 Q I'm sorry. Terri.</p> <p>7 A Yeah.</p> <p>8 Q Terri forwarded it to you that same day,</p> <p>9 October 20th of 2015; right?</p> <p>10 A Yes. And based on that, it would appear that 11 it was all nextSource</p> <p>12 employees involved, other than</p> <p>13 Victor and Ed.</p>
40.	109:13-19	<p>13 Q Okay. And it looks like maybe Ed was talking</p> <p>14 about getting involved here, and Terri Garrett was 15 asking for your help as</p> <p>16 to whether or not Mr. Romero 16 should be involved in the investigation; right?</p> <p>17 A It looks like she wants him not to be</p> <p>18 involved.</p> <p>19 Q Right.</p>
41.	116:22-25	<p>22 Q And the correct response to threatening 23 conduct is to remove that</p> <p>24 individual from the factory;</p> <p>25 right?</p> <p>26 A Correct.</p>

42.	119:23-120:04	23 Q Okay. But if an allegation of racist -- of a 24 racial term, particularly if it's the n-word, is 25 confirmed, that's the kind of information that 1 supervisors and managers such as Ed Romero and Victor 2 Quintero were trained to at least forward to HR; 3 correct? 4 A Yes.
43.	123:09-123:18	9 Q But any worker who is subject -- who is 10 working in the Tesla factory is subject to Tesla 11 policies; correct? 12 A Yes. 13 Q And -- and any worker who is being harassed or 14 discriminated against, regardless of who they work for, 15 if -- if the harassment or discrimination occurs in the 16 Tesla factory, Tesla has a responsibility to do 17 something about it if it knows about it; right? 18 A Yes.
44.	133:16-23	16 Q I do understand that. I'm wondering, 17 though -- we've looked at some documents which showed 18 numerous complaints about the n-word, several complaints 19 about the n-word, and I'm wondering if there was any 20 kind of discussion in human resources that there was a 21 need to address the use of that word in particular in 22 the workplace. 23 A Not that I recall.
45.	134:20-135:03	20 Q And if there had been such an investigation by 21 anybody at Tesla, there should have been at least some 22 kind of written record of that; right? 23 A Yes. 24 Q Because that's what Tesla policy requires is 25 documentation of any kind of investigation that's done; 1 right? 2 A Yes. Mine, for the most part, were 3 handwritten

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